App. F. IX-4

Previous References

STA 272-10
(3-4)

193/.
(STA)

File No. 158-30

Serial Nos. 3, 4, 5, 6, 8, 10
11, 12, 13

Later References

Manjarabad File No 28
STA 305-34 (3, 4, 5)
S.I. 124-1 (168)
SP 15-34 (3-4).

General and Revenue Secretariat.

Serial Nos. Eight

Part B for February 1932

SUBJECT.

Claims to the Pallyar Pension q/Rs 15-11-9 drawn by late Annamanniamma of Manjarabad Pallyar Family

---

ff 12) Dr Comptroller, No 6725 of 24/2/32

Directs for reasons stated that the pension should cease to be paid

5/4/32

General and Revenue Secretariat. File No. 158 of 1930

Serial No.

D. 1560

3 Petition from Akkamanni by g Narasimha Naick, Cate Paleya g Manjanahad enclosing a C her petition & the State Fry. Officer praying for pension g Rs 18-8-0 enjoyed by her deceased mother Annamgara DR. calling for report from the Comptr. & returned.

A
13/11/30.

Done
A.D. 14.10.30

by the Comptr, no 3616 dy 16.10.30. Forwarded Akkamanni's petn for report

Petition dy 3.12.30 from Nanjammanni eldest daughter g Annapoornaiah Naik g manjanahad Dommy praying for the registry g the Vacant pension drawn by her mother — Annam —mamma in the name g her adopted son — Venkataraya ayya etc

DR forwarding the petition in continuation of the above is submitted for approval.

W. W.
18/12/30

4 Done
A
19/12/30

File No. /J 8 of 1930 Secy Mat

To Comptroller, No. H 5096 of 26.12.30 — 6
Forward the petition in continuation for early enquiry & report.

SW 29/12

From M. P. Varadarajaswami Naik, — 8
Petition of 17.6.31.
Prays for the continuance of the Nanjanad Family Pension Rs 18-12-0 drawn by late Annamalaimal.

Draft forwarding the petition in continuation of Pl. 6 for enquiry & report is submitted.

Sd/- 27/7

Sd/- 31/7/31

To Comptr, JC 126/SM. 18-30 — 10
of 3.7.31.
Forward the above petn in continuation of Pl 6 for enquiry & report.

SD 16/7

Letter No: 67 dt 3.11.31 from the Comptr forwarding the report of the District Treasury officer in regard to the disposal of the vacant pension of Rs 18-12-0, drawn by the late Annamalaimal. — 11

Sub: Affair examining the claims put forward by the claimants, the District Treasury officer recommend

Serial No.	
12	Petition dt 12.11.31 from Sri Nanjammanni praying that the pension of her mother (deceased) may be granted to her son Venkatarajaiya -

Subd: The pension in question stood in the name of Annasawmy Naik & on his death it was ~~transferred~~ ordered to be continued to his minor son Ramaswamy Naik represented by his mother and guardian ~~Ammaiyamma~~ Ammannamma (G.O. P.P no 164-5 dt 11.2.01) Ramaswamy Naik also having died unmarried, the pension was ordered to be continued to his mother. (G.O. no. Ft 5683-4/Sta 272-10-4 dt 16.5.11). The amount of pension is Rs 18.15-9.

8 It is now reported that Ammanamma died on 31st July 1930 & ~~petitions~~ claims from Akkammani & Narasimhaswami Naik Nanjammani (daughters of the deceased) have been received claiming the pension.

9 Before the State Treasury officer, 6 persons put forward their claims & this officer having considered the claims of Each recommends that the pension in question may be transferred to the name of Akkammani one of the daughters of the deceased.

10 The deceased has left 3 daughters — Nanjammani, Akkammani & Devajammani: It is seen that the first has two ~~daughters~~ sons & the third a daughter. The second has also 3 sons - ~~Photographs is not available as to whether they are~~ ~~has~~ approaches -

11 Nanjammani, the first daughter, states that her son (Venkatarajaiya) was adopted by Ramaswamy Naik (son of the deceased) who predeceased his mother & has performed the ceremonies of her grand

parents. But Ammannamma's petition for adopting her grandson (daughter's son) male so far back as 1913 was rejected. (Vide n. Ft 6946/Sta 59-12-6 dy 29.5.18). But Ramaswamy Naik is reported to have died on 17th Aug 1910 & if he adopted any body why the mother applied for adopting her grandson is not clear. Evidently the claim of Nanjammani on behalf of her son is spurious.

2) The second daughter's (AKKammani) claim is supported by the State Huzur Dy: Officer notwithstanding the claims of the other two daughters. According to Hindu Law, it would appear that the property of the deceased has to go to the daughters when there is no male issue. One other significant point is that she is the wife of Mr. Narasimha Naik (Retired Amildar) who belongs to Manjarabad Pollegar Family. He is already in receipt of a State pension.

3) In the case of Ranjamma Nagathi of the Chitaldrug Pollegar family who was enjoying a pension of Rs 31-12-5 after the death of her husband, one Ramappa Naik (brother of the husband) claimed it on her death, but Govt. ordered that the pension should lapse on the ground that he was already enjoying a pension. Besides the family of AKKammani in due course will be enjoying two pensions.

Sta 111-30-9

4) Mr M.P. Narasimha Naik who has claimed the vacant pension does not say how he is entitled to it. He claims it only on the ground that he is a near relative.

5) The third daughter Devajammani has not professed her claim either to Govt or to the State Huzur Dy Offi

Serial No.

16

~~Norrow~~ The question for decision now is whether the pension of the deceased should go to the daughters or lapse to Govt. Reference is invited to the opinion of Mr B. Nagappa, as Legal Remembrancer, in regard to the policy & law of devolution of Polliegar pensions in S/A file 40-25 put up.

Flag Q

Slo 2, 5–9, 12 & 13 Subd in another connection ~~Flagged~~

WW 15/12 17 Fl. Secy) VS 16.12.31

4450

18 Please put up a genealogical tree showing the relationship of all the applicants and the several surviving members of the family.

If any of them are enjoying pensions, the amount, with the sanction may also be indicated.

h 26/12/31

VS

19 Subd. with a genealogical tree Flag T by reference to those produced by the claimants & to the one ~~first passed in 1910 in~~ found in one of the old files

VS Flag U

WW 8/1/32 20 Fl Secy) AM 15/1

Read 15/1

5245 15/1/32

21 The relevant facts are succinctly given in Flag T, to which reference is invited.

22 The S. H. Jry. office has rejected the claims of Claimants 1 & 4 & 6 and has recommended the continuance of the vacant pension to C. S. Ankammani, one of the daughters of the deceased. Vide paras 8 & 9 of his report.

There are two objections to this recommendation.

Firstly, under the Hindu law, succession after the death of the mother, who inherited from her son, should be traced to the last

NOTE—Contin. Sheet.

holden in Ramaswamy Naick, and AKKannammal can claim only as his sister.

Secondly she is one of the 3 daughters of the deceased, and cannot exclude the other two - Nanjammal & Devajammal. The last individual has not preferred any claim at all in the case.

Even during the life time of her mother, AKKannammal had applied for the transfer of the pension drawn by her mother Ramaswami Naicker but unsuccessfully.

She has no preferential claim to the exclusion of others similarly related to the deceased and the last male holder. The recommendation of the S.H.O. has to be rejected.

The position briefly is thus -

Success in being traced to the last male holder - Ramaswamy Naick, the claimants fall into 3 groups.

I^st Group. $C_1 - C_6$ - Sisters sons.

IInd group. C_2, C_3, C_4 - Agnates claiming as reversioners of the deceased.

IIIrd group - C_5 - Sister of last male holder & daughter of the deceased, claiming to the exclusion of the other heirs similarly related like herself.

As pointed out in Mr. Nagappa's note (18.4.58) Hon'ble The important consideration in regard to the devolution of pathyam property is not to treat it as heritable property to which some heir of the deceased however distant may be allowed to succeed, but to remember that Govt have full discretion to determine the ~~first~~ method of disposal of these properties, especially

Serial No.

185
Law

when there is
~~in the~~ absence of lineal heirs in the male line and the last holder is a female -

28 Following the decision in Ranganna Nyathi's case Hy T', I would suggest that the vacant pension may under dispute may be allowed to lapse -

To Prohibition branch for favour of opinion.

29

h
18. 1. 1932.

3153/P/31

30 If the Strict rules of Hindu law are to apply to this case, succession must be traced to the last male holder, namely, Ramaswamy Naik and not to Annamamma, as has been done by the S. H. J. Officer. Moreover as held in 24 MCCR. 77 (7. B), a sister's son is a preferential heir to a sister. Accordingly the claims of Venkatarajia & the three sons of Akkammani are superior to those of Akkammani herself or her sisters - The sisters' sons take the estate per capita & not per stirpes and consequently in this case, the pension will have to be divided into 4 equal shares, if it is decided to continue the pension to the heirs of R. Naik.

31 As regards the question of allowing the pension to lapse, there appears to be no doubt that these pensions are such that Govt have the power at any time to resume them. Section 5 of the Pensions Act, 1871, which applies to Poligar pensions also, however seems to

(Vide the Hon Legal Rr's Opinion Dated 18-4-28)

NOTE—Contn. Sheet.

Pallegar of Manjarabad

183
Law

contemplate the Officer concerned to dispose of claims to pensions "in accordance with such Rules as the Chief Controlling authority may from time to time prescribe in this behalf." It may perhaps be desirable to have definite rules prescribing the conditions under which these pensions lapse to the State.

Fin Secy) MR 8/2/32

2 The Vacant pension may be ~~lapsed~~ ordered to lapse
1st member) L 12.2.32 — ATM 13/2

3 MR 15/2/32 L ATM 15/2

4 Subs with a Draft G.O. for approval
MR 17/2

5 Fin Secy) ATM 22/2.

Draft revised
6 L 22/2

7 Issue ATM 23/2

To, The comptroller No 7(6725) 26-2-32. 13
Directs that the pension conferred on Ammaunamma mother of Ramaswami Naik should lapse on the death of Ammaunamma.

B
MR 15/2

OFFICE OF THE 1 FEB. 1932 4803
PRINTING SECTION 23 FEB. 193 GEN. & REV.

Vyjoor Krishnappa Naik

Narasimha Naik.

Venkatadri Naik
Krishnappa Naik
[illegible]mar Krishnappa Naik
Krishnajammanni
(Rs 153-10-4)

Venkatadri Naik
Adopted to Gangamma.

Doddakrishnappa Naik
Krishnappa Naik
wife
Gangamma
Venkatadri Naik
(Adopted from the senior branch)

Venkatadri Naik

Venkatadri Naik.
wife
Lakshmamma.
Chikka Krishnappa Naik
Rs 39-1-4

(Venkatadri Naik
2nd son died.
wife.
Gowramma
Venkatadri Naik

Ramaswami Naik

Venkatamma.
Ramaswami
Annaiya Swami
wife.
I. Ammanyamma. Died on 30-7-30.
Rs 18-15-9.

Nanjammanni
Venkatarajiah.
C1

C5 Akkammanni

Rajagopal Naik
Doraiswamy
Satyanarayanaswami
C6.

Ramaswami Naik
Died on 17-8-1910.
On whose death, pension was transferred to his mother No I.

Devajammanni
Seethamma

Krishnaswami Naik
Gopalakrishnaswami Naik
Narasimha Naik
Venkatadri Naik
C3.

C4 Narasimhaswami Naik
1st son.

Ramaswami Naik

The claimants to the pension in question are as follows (Rs 18-15-9)

Claimant I - Venkatarajiah C1 — no pension
" II Doddarajiah C2 do
" III Gopala Krishnaswami Naik C3. 153-10-4
" IV Narasimhaswami Naik C4 24-1-0
" V Akkammanni C5. - nil
" VI Sons of C5—C6. - nil.

The pension in question stood registered in the name of Annaiyaswami original polleger of Jaiparabad. On his demise the pension was transferred to the name of his minor son Ramaswami Naik, his mother Ammanyamma being the guardian. Subsequently Ramaswami Naik having died, the pension was continued in the name of his mother Ammanyamma who having died on 30-7-30, the question of the devolution of the pension has cropped up. The marginally noted persons have put forth their claims. Venkatarajiah C1 bases his claim on the ground that he is the adopted son of Ramaswami Naik and also the son of Nanjammanni. But we glean from the records that his claim as the adopted son of Ramaswami (who died unmarried) is not tenable. (Vide note)

Doddarajiah C2. is the 2nd claimant whose claims are promdless as no mention is made of him in the records or in any of the genealogical tables available so far traced

Gopalakrishna Swami Naik C 3, the 3rd claimant is already in receipt of a separate pension of Rs 15 3-10-4 and is the surviving head of the Senior branch of the Manjarabad Polleyar family.

Narasimha Naik C 4, the fourth claimant belongs to a collateral line and enjoys a pension of Rs ~~39-14-0~~ 24-10-0.

AK Kammani C 5. The next claimant is the wife of late Narasimha Naik brother of C 3. ~~and is drawing~~ who shares the pension drawn in the name of Mr Gopalakrishnaswami Naik C 3

The last claimants, C 6 are the sons of C 5. — AK Kammani

Date of Receipt 29.9.30
Petn. Regr. No. 6684

To

S+A 158-30-3

Rajakaryaprasakta Diwan Bahadur,

M.N. Krishna Rao Esq, B.A.,

Officiating Dewan of Mysore, Bangalore.

FINANCIAL SECRETARY
O SEC
No.

Respected Sir,

In continuation of my petition dated 16th August 1930, I most humbly and respectfully beg to submit herewith a copy of a petition submitted by me on the question, to the State Huzur Treasury Officer and humbly request that the same may graciously be taken into your honour's kind consideration when the subject comes up for final disposal.

After full and benign consideration of the question I respectfully pray that the pension of the deceased, Ammanyamma may graciously be granted to me.

For this act of benevolence, I shall ever feel grateful and pray for your honour's long life and prosperity.

I remain,

Respected Sir,

Your honour's most

obedient and devoted servant,

ಅಕ್ಕಂಮ್ಮ

(wife of Narasimha Naik
polygar of Manjarabad)

MYSORE

Date 20/9/30

Address

2935 Viceroy Road,
Chamandy Extension Mysore.

FR 3616/CL dtd 16.10.30

The Comptroller to Government
Bangalore.

I am directed to forward herewith for report petition No.1560 from Akkammanni wife of Narasimha Naik, late Polegar of Manjarabad, enclosing a copy of her petition to the State Huzur Treasury Officer praying for the pension of Rs.18-5-9 enjoyed by her deceased mother Ammanyamma.

I have the honour to be
Sir
Your most obedient servant

For Financial Secretary to Govt.

Aga

SUBJECT.....

.....

.....

Section S&R

File No. 156.30

Serial No. 4

No. H3616/36

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 193 .

To

The Comptr.

Sir

Date of issue.....16.6.30.....

I am directed to forward herewith for report, petition no. 1560 from Akkanmanni wife of Nara Simha Naik, late Paleyar of Manjanady enclosing a copy of her petition to the State Huzur Try. officer praying for the pention of Rs 18-8-0 enjoyed by her deceased mother Annamganma.

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

I have etc.

14.6.30

for Secy

SAH 158-30-5 24952 9.12.30

OFFICE OF THE DEWAN OF MYSORE.
Date of Receipt 8-12-30
Petn. Regr. No. 1105

శ్రీమన్ మిస్సూరు శేషమ్మ యది వారనగా
నాం పోబరవర జనాంబిగి - మంజుశాం చార్లు
పాల్సాగార్ అంబాయ్యాస్థామినాయ్కర జిష్ట
ప్రశ్రి యవరాంది నంజుంమ్మణ్ణి యు బరదు
ష్కొండె అదు వాల్ అజిర్ వనందరి:—

నంమ శంది అంబాయ్యాస్థామినాయ్క
రిగి పుర్కార దింది మూది మూన శ్రీ 18-15-9
పూ అటిరల్ పిర్ష్ణ బరుస్తా యింప్తే.
యి వరిగి నాను రిరీమగళాగి యూ
మప్తే అశ్శం మంణి, పోషా జుంమంణి,
ఎంబ యూరు జున శింణు మక్కళు యి
రుశ్రీవి మప్తే రాం మస్థామినాయ్క
వెంబ ఒబ్బి మగసూనరాం యిద్దను.
నమ్మ శంది మృమ పట్ట నంశర ఈమే
ల్కొండ పిర్ష్ణ వన్న శంమ రాం మ
స్థామినాయ్కన శిసరిగె బరాంమదూ
ఆయిరు.

ఈ రాం మస్థామినాయ్కను నన్న
యరశ్రీనే మగనాద వెంకటరాంజు
య్యా నెంబు వనన నన్న రిం దూలా
మప్తే శ్రీమన్ శాస్త్రి రిశియాగి
ప్రేమవాగి దప్తే స్వీకార మాడి

రోండిరుక్కా శి. ఈ విషయము వాగి
నంము కొయి అంమ్మంతో మ్మనుసు
సన్ 1912నె యిన్ని వియల్లి కష్టనీలా
గి సర్కారక్కె శిళపడిసి రుక్కాళ్లి.
మక్కు నంము కొయి యు సన్ 1910నె
యిం పవియల్లి సర్కారక్కె ఈ దక్కు
విషయు వన్ను వమూదిసి వంశ
పృష్టి వన్ను నడాం మ్మొట్టిరుక్కే
నిండు తీళి యిరుక్కాశి.

నన్న శంగి అమ్మంము ట్టిరిందు
కొనూ శంన్న మక్కళి ఈట్టిష్
నిరుప్పు దూర శింశలా, ఈ పిట్ష్
అవర తినదిగి ఈగ బొక్కిందువ
క్కిరి అ పిట్ బిరదు కొండిరు
వంశీ వర్ద మూ నదిళ్లుక్కి నె.
మిల్లండ నన్న మగ బింట్టరాండుమ్మా
సు వన్న శంము రాం మువాం మినాం
మ్మిరిగె త్రి మువాగి దక్కు మగనాం
ద్దరింద లా, మక్కు వంము శంది
అంణ మ్మా నొం మినాం మ్మిరిగె
దొం బొ త్రి నాం ద్దరింద లా

ఇట్లు నిన్ను పేరు పేరున పిలుచు

మీకు ఈ పత్రము వ్రాయుచున్నది.

ఈ సంగతి మీరు సంపూర్ణముగా తెలుసు

కొనుటకు నాకు చాల సంతోషము

గా ఉన్నది. మీరు ఇప్పటికి ఎన్నో

విషయములను నాకు వ్రాసియున్నారు

గాని నేను వ్రాయవలసిన విషయము

మీకు ఎంతమాత్రమును వ్రాయలేదు

ఇది వ్రాయుటకు నాకు మిక్కిలి

సంతోషముగా ఉన్నది.

రాజమండ్రి
3-12-1930
పండూరు

నీ ప్రియమైన రుక్మిణి.

ఈ ఉత్తరమును చదివిన తరువాత

నీవు నన్ను ప్రేమించుచున్నావని

నాకు నమ్మకము కలిగినది.

75.5096 Sec A 158-30-6

26nd December 30
26

The Comptroller to Government,
Bangalore.

In continuation of this office letter No.Fl. 3616/S.&A.158-30-4 dated 16th October 1930, I am directed to forward for favour of early report, petition No.Fl. 2495 dated 9th December 1930 received from Nanjammanni of Manjarabad Pallegar Family praying for the registry of the vacant pension drawn by her late mother, Ammanniamma in the name of her adopted son Venkatarajaiya.

I have the honor to be,
Sir,
Your most obedient servant,

For Financial Secretary to Government.

SUBJECT.....

.....

.....

Section VIA

File No. 158.30

Serial No. 6

No. 7E 5096/30

Diary No. of letter replied to.....2495.....

General and Revenue Secretariat

( )

the 193 .

To

The Comptroller

Date of issue 26-12-30

Sir, In continuation of this office letter No. 72616 dt. 16.12.30, I am directed to forward ~~herewith~~ for favour of early report, petition W.P. 2495 dt. 9.12.30 received from Nanjanemami of Manjavakal Pallyar family praying for the registry of the Varant Ameen drawn by her late mother-Ammanniamma in the name of her adopted son-Venkatarajaiya, ~~E. in Cuddapah~~

Signed by Mr. A.N. Raghavachar

List of enclosures.....

Copied by.....

Examined by.....

~~Mrs Alice to 7E 5096 of 16.12.30~~

Thanks,

Asst. Clerk 9.1.30

for Secretary

18/12

WD 02559—GPB—25,000—25-6-30

No FC: 126/S+A 158/30/Sec/ 3rd July 1931.

Financial

xxxxxxxxx

The Comptroller to Government,
Bangalore.

In continuation of this Office No.Fl.5096/S&A 158-30-6 dated 26th December 1930, I am directed to forward for early enquiry and report petition No.Fl.7558 dated 17th June 1931 received from Mr.M.P.Narasimhaswami Naik praying for the registry of the vacant pension drawn by late -- Ammanniamma of Manjarabad Pallegar Family.

2. As the case is pending for more than 6 months, I am to request you to kindly direct the State Huzur Treasury Officer to expedite the disposal of the case.

I have the honor to be,
Sir,
Your most obedient servant,

For Financial Secretary to Govt

c.n.

To,
The Financial Secretary
To The Mysore Government,
Bangalore.

FINANCIAL BRANCH
755-8
18 JUNE 1931
GENL. & REV. SECTT.

[illegible]

[illegible] 7-7-30 [illegible]

[illegible] Rs. 18-15-0 [illegible] "Geneological Tree" [illegible] Rs. 18-15-0 [illegible]

M.P. Narasimha

17-6-1931

M. P. Narasimha Swamy Naik
1/6 Dod Mavalli
Bangalore City.

SUBJECT

Section SM
File No. 158/30
Serial No. 10

Diary No. of letter replied to 7558

No. 126

To

The Comptroller

General and Revenue Secretariat

( )

the 193

Date of issue 9.7.31

Signed by

Sir,

In continuation of this office No DC 5096/SM 158-30-6 of 26th Dec'r 30, I am directed to forward for early enquiry & report petition No DC 7558 of 17.6.31 received from Mr. M.P. Narasimhaswami Naik praying for the refixing of the Vacant pension drawn by late Annamma-amma of Manjarabad Pallyar Family.

2 As the case is pending for more than 6 months, it is [illegible] request you to kindly direct the S.H.T.O. to expedite the report/case

I have the honour to be,

Sir,

Your most obedient servant,

List of enclosures 1

Copied by

Examined by

9/7/31

AO 9.7.31

Dy Secy

No.2248 S.H.Try

Office of the State Huzur Treasury,

Bangalore, 31st October 1931.

From

M. S. Ramachandra Rao, Esq., B.A., B.L.,
Senior Assistant Commissioner in charge
of the State Huzur Treasury, Bangalore.

To

S. Shamanna Esq., B.A.,
Comptroller in Mysore,
Bangalore.

Sir,

I have the honor to submit the following report in the matter of the succession to the Pollegar Pension of Rs.18-15-9 per mensem rendered vacant by the demise of the last holder Ammannamma at Mudigere on 31st July 1930.

2. The facts of the case are briefly as follows:-

The stipend in question is a portion of the Manjarabad Pollegar Political Pension and originally stood registered in the name of Annasawmy Naik, the husband of the deceased last holder Ammannamma. On his death on 28th November 1900 it was transferred by G.O.No.P.P 464 dated 11th February 1901 to the name of his minor son Ramaswami Naik, his mother Ammannamma long appointed as a guardian. Ramaswamy Naik having died unmarried 17th August 1910, leaving his mother Ammannamma and other more distant relations surviving him, the Government in their order No.Fl.5683-4/S&A 272-10-2, dated 16th May 1911 were pleased to sanction the continuance of the pension in the name of the deceased's mother Ammannamma, the last holder She also having died on 31st July 1930, the devolution of the pension has now got to be settled.

3. Six persons have put forward their claims to the vacan pension viz., (1) H. V. Venkatarajaiah
(2) K. P. Doddarajaiah
(3) M. Goplakrishnaswami Naik
(4) M. P. Narasimhaswami Naik
(5) Akkammanni
(6) M. N. Rajagopal Naik, M.N Boraswamy, M.N.Satyanarayanaswami sons of No.(v).

member

4. The first claimant H. V. Venkatarajiah, bases his claim on the ground that he is the adopted son of Ramaswami Naik the last male holder and also the son of Nanjammanni the eldest daughter of the deceased Ammannamma, and that he has performed the obsequies of the deceased. His claim is supported by Ammanniamma herself in a petition written on 7th April 1930 and addressed to the Khajana Bakshi as well as a document dated 25th July 1930 which purports to be both an "arji" as well as a "will" addressed to the Dewan. The alleged adoption is vehemently denied by the other claimants. It is seen from the records that once before this i.e., in the year 1913, the deceased lady made an attempt to take one Lakshmanarajiah elder brother of Venkatarajiah in adoption (it is not very clear from the records whether it is to herself or to her deceased son Ramaswami Naik) but Government in their endorsement No.Fl.6946/S&A 59-12-6 dated 29th May 1913 informed her that "the proposed adoption is not in accordance with the principles laid down in G.O.No.5187-95/Mis.795 dated 30th September 1902". and therefore declined to give her the required permission. If, as now alleged, Venkatarajiah had been adopted by Ramaswami Naik himself during his life time (he died unmarried on 17th August 1910) it is not clear what need there was for Ammanniamma to apply to Government in 1913, i.e., three years after Ramaswami Naik's death for permission to adopt his elder brother Lakshmanarajiah. Moreover according to Hindu Law the adopted son should be the reflection of a true son that is to say his mother should have been a person on whom his adoptive father could have begotten him. Consequently the adoption of both Lakshmanarajiah and his brother Venkatarajiah could not be valid since their mother Nanjammanni happens to be the sister of Ramaswami Naik. In these circumstances, I have no hesitation in holding that Venkatarajiah's claim is spurious and must accordingly be rejected.

5. Doddarajiah bases his claim on the ground that his father's father Komaraswamy and the deceased's husband Anneyaswamy were uterine brothers. Not only is the alleged relationship not proved,

proved, but no mention is made of either the claimant Doddarajiah or his father Komaraswamy in any of the records or any of the geneological tables submitted by any of the parties. If it were true that there was such a close relation as a nephew then he should have advanced his claims on the death of Ramaswami Naik so far back as 17th August 1910 and he would certainly have been better entitled to succeed him than his mother the deceased Ammanniamma. But it is observed from the Government Order of 16th May 1911 referred to at para 2 supra, that the survivors of Ramaswami Naik being "more distant relations" the pension was continued in the name of the "mother". This would certainly not have been done if as alleged a nearer heir was available in the person of a nephew or nephew-in-law as Doddarajiah alleges himself to be. Consequently his claim also cannot be admitted.

6. Mr. Gopalakrishnaswami Naik claims the vacant pension on his own behalf as well as his two younger brothers Mr. Narasimha Naik (husband of Akkammanni claimant No.V) and Venkataramanaswamy Naik as the surviving head of the senior branch of the Manjarabad Pollegar family and therefore reversionary heir thereof. But the brothers belong to a dividend branch, and are already in receipt of a separate pension. No question of reversion arises, as long as there are lineal descendants and nearer heirs entitled to succeed as in this case. Their claims also will have therefore to be rejected.

7. The claims of the fourth applicant M. P. Narasimhaswami Naik and his brother and sister-in-law which are more or less based on similar grounds, have also to be rejected for the same reasons as those of No.(iii). His case is even weaker than that of Mr. Gopalakrishnas ami Naik because he is a more distant relation.

8. This leaves only the claims of Akkammanni and her sons, claimants Nos.(v) and (vi) to be considered. The former bases her claim on the ground that she is not only the daughter of the deceased Ammanniamma but also the wife of Mr. Narasimha Naik a

member

member of the senior branch of the family and younger brother of Mr. Gopalakrishnaswami Naik claimant No.(iii) referred to at para 6 supra. Although the latter ground does not, as she supposes, give her a better right, the former is certainly a very good ground. As between the claims of herself and her sons the daughter is entitled to succeed before the daughter's sons.

9. Thus, having regard to all the circumstances of the case, I recommend that the vacant pension of Rs.18-15-9 now standing in the name of Ammanniamma be transferred to the name of her daughter Akkammanni, with effect from the date of the former's death viz., 31st July 1930.

I have the honor to be,
Sir,
Your most obedient servant,

M.S. Ramachandra Rao
31.10.31
Officer in charge,
State Huzur Treasury.

To SPR 272-19

Amin-ul-Mulk
Sir Mirza Mahomed Ismail, Kt., B.A., C.I.E., O.B.E.,
Dewan of Mysore, Bangalore

OFFICE OF THE DEWAN OF MYSORE
Date of Receipt 19 8 30

Respected Sir,

With due deference and humble submission I respectfully beg that your honour will kindly be pleased to take my case into your honour's favourable consideration and grant me graciously the boon I pray for:-

My mother, Ammanyamma who was getting a monthly pension of Rs. 18-15-6 as a member of the Manjarabad Pollegar family, died on 31-7-1930, leaving no male issue.

I beg to state that I am entitled to this pension not merely becasue I am her daughter but also due to the fact that I am married to a direct descendant (Mr. Narasimha Naik) of the said fami

As pensions of deceased individuals generally confined to the members of a particular family, I beg to submit that I have - a preferential claim to the pension which my mother was enjoying owin to my aforesaid connection with the Manjarabad Pollegar family.

In kind consideration of my spperior and double - claim as set forth above I pray that the pension in question may - graciously be granted to me so that it may not go outside the family.

For this act of generosity I shall ever pray for your honour's long life and prosperity.

I remain,

Respected Sir,

Your most humble and
Most devoted servant,
ಎಲ್ಲಮ್ಮ.

MYSORE
Date 16/8/1930

Address

Door No.2935

Viceroy Road, Chamandy Extension,

MYSORE

Memo

Forwarded with compliments of the
Comptroller, my last Statement,
for disposal.

By order,

Financial Secretary.

FINANCIAL BRANCH
24 NOV. 1931
2582
GENL. & REV. SECTION

S+A 158-30-12
S+A 42-31 — 3

To

The Financial Secretary,

to the Government of Mysore,

Bangalore.

Petitioner:- Nanjammanni,
Eldest Daughter of late Annayyaswami Naik,
Pollegar of Manjarabad.

Most humbly and respectfully sheweth:-

H.Y

In continuation of my petition dated 3-12-1930, I respectfully beg to state the following a few facts to your kind and generous consideration.

1. I am the eldest daughter of late Annayyaswami Naik, original Pollegar of Manjarabad. The said Annayyaswami Naik was in receipt of a Pollegar pension of Rs.18/15/9, per mensem till his death. The said full pension of Rs.18/15/9, which was in the enjoyment of Annayyaswami Naik, was continued to his wife Ammanyamma. The said Ammanyamma, the last pension-holder died on 31-7-1930.

2. The said Annayyaswami Naik, original Pollegar of Manjarabad had three daughters and only one son. The present members of this family are shown in the subjoined table of pedigree.

1. Annayyaswami Naik (died) 2.(Ammanyamma) wife the last pension-holder died on 31-7-1930.

3.	4.	5.	6
Ramaswamy Naik. (son) died on 17-8-1910.	Nanjammanni. daughter. (petitioner)	Akkammanni. daughter.	Devajammanni. daughter.

Lakshmanarajiah (son) 7. 8.Venkatarajaiya (son)

3. The said Ramaswamy Naik (3) having no issues, he duly and legally adopted my son Venkatarajaya (No.8) during his life time according to Hereditory custom and Dharma Sastras. The said Ammanyamma, the last pension-holder has represented all these facts to the Government of Mysore by means of petition on 7th April 1930 and also has submitted her last will and petition to the Government on 25th July 1930, praying that the Government of His Highness the Maharaja of Mysore may be pleased to favour the petitioner's son Venkatarajaya (No.8) with their generous protection and continue the full pension of Rs.18-15-9 in his name.

4. I beg to state that my younger sister one Akkammanni (No.5) being persuaded by her husband one Narasimha Naik retired Amildar, who is enjoying a separate Pollegar pension of Rs.153-10-4 of Manjarabad family per mensem from the Government of Mysore. Although she has been presented a Dowry of Rs.1,000/- in the shape of cash and jewellery at the time of her marriage, by her mother Ammanyamma, She has again come for a share in this poor pension of Rs.18/15/9, putting forward her exclusive right to the pension on spurious grounds.

5. I beg to submit that my son Venkatarajaya (No.8) is the direct lineal legitimate descendant, heir, nearest blood-relative and grand-son (Douhithra) of the late Annyaswamy Naik (No.1) and also the adopted son of late Ramaswamy Naik (No.3) and representative of the house of the Pollegar of Manjarabad.

6. I beg to submit that the Government have been pleased to recognise the recent adoption of one Venkataramanaswamy Naik who is the daughter's son (Douhithra) of one Mudduswamy Naik, Pollegar of Rayadrug.

7. According to his binding duty my son Venkatarajaya (No.8) has performed all the ceremonies of my grand-father, my father and my mother who died in Mudigere on 31-7-1930 and this fact is well-known to the Amildar of Mudigere, Kadur District.

8. If the Government desire to recognise only the claims of daughters, I being the eldest daughter (Jestaputri), I am the better claimant and heir than my two younger sisters (No.5 and 6).viz., Akkammanni and Devajammanni.

In conclusion, I humbly and respectfully solicit your honour to kindly consider all the facts of the case and that the full pension of Rs.18/15/9 may be kindly granted to my son Venkatarajaya (No.8) and thus protect this family from its irretrievable ruin.

For which act of kindness and justice, I shall ever pray.

ನಂಜಮ್ಮಣ್ಣಿ.
Petitioner.

21st Nov. 1931.

Address:-

Nanjammanni,
Pollegar family,
Kundur Alur Sub-Taluk,
Hassan District.

SRA 158-30 — 11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

FINANCIAL BRANCH 2282 5 NOV. 1931 GEN. & REV. SECTN.

Comptroller's Office, Bangalore,

No. 2267/S.H.Try/Encls19 *Dated the* 3rd November *1931.*
Rajasevaparayana

B. Srinivasa Iyengar Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department, Bangalore.

FINANCIAL BRANCH 5 NOV. 1931

Sir,

Adverting to correspondence ending with your D.O. letter No.Fl.2478 dated 6th October 1931, I have the honor to forward herewith for the orders of Government the report of the State Huzur Treasury Officer, Bangalore, on the disposal of the vacant pension of Rs 18-15-9 which was being drawn by Ammannamma, Pallegar of Manjarabad, who died on 31st July 1930.

I have the honor to be,
Sir,
Your most obedient servant,

S. Ramanna
for Comptroller

BRa

FINANCIAL BRANCH
3408
22 JAN. 1932
GENL. & REV. SECTT.

To

The Financial Secretary
to the Government of
H. H. the Maharajah
of Mysore,
Bangalore

Mean time in file.

21-1-1932

Petitioner:- M. P. Narasimha -
Swamy Naik,
C/o Mr. Aziz, Sanitary Inspector, No. 1, Pavadasetty
Pete, Kantinakrishnappa
Lane, Bangalore city.

Subject:- Political pension
of Annamanamma (deceased)
mother of Ramaswamy Naik
of Manjarabad Family.
Amount Rs 18-15-0 p. m.

Sir,

I petitioner undersigned
hereby begs to state as follows:-

Myself, my brother Rama
- swamy Naik and my late
brother Venkatadri naik's
widow Kowramanamani
are the nearest heirs of the
late Annamanamma
and are thus entitled to
receive in equal portions

the sum of Rs 187/5/0 above
referred to.
The Genealogical Tree will show
our proximity to the deceased
Annamanamma.
I understand some of my dayadis
and also the so-called adopted
son of the late Annamanamma's
eldest daughter have made
applications in this matter.
I beg to submit that none
of my dayadis are entitled
to this pension.
Further the taching of adoption
of the so-called adopted Son of
the late Annamanamma's
eldest daughter has not been
made known to Government.
The alleged adoption has not
taken place.
I also understand that one
AKKamanni, second daughter
of the late Annamanamma
and wife of dayadi Narasimha
Swamy Naik has also made
applications in this behalf.
Being the wife of a political pen-
sioner now living the above
named AKKamanni
is not entitled to this pension
I therefore request that
due consideration be given
to the Claims of the Petitioner
and the two others named
above and orders be
passed early directing

the payment of this pension equally among myself, my brother Ramaswamy Naik and my late brother Venkatadri Naik's widow Gowramma and as this pension has to be enjoyed by members of the Mangalam family.

W.P. Narasimha Naidu

Bangalore } Petitioner.
21st January 1932 }

Diary No. of letter replied to .....

Section S.H.A

File No. 158-30.

Serial No. 13

General and Revenue Secretariat

( )

the 193

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 26-2-1931

Signed by A. Subba Rao.

Read— G.O. No P.D. 164-5 dy 11-2-1901 directing the continuance of the pension of Rs 18-15-9 rendered vacant by the death of Annayyaswami Naick of the Nanjarabad family, in the name of his minor son Ramaswami Naick represented by his mother and guardian Ammanyamma

Order thereon.—No.

2. G.O. No H S 683-4 dy 16-5-11 sanctioning the continuance of the pension of Rs 18-15-9 p.m., which fell vacant on the death of the late Ramaswami Naick, to his mother Ammanyamma

3. Correspondence ending in the letter No 2267/S.H. Jry dy 3-11-31 from the Comptroller to Govt forwarding a report

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ? V.

of the officer in charge of the State Treasury recommending that for the disposal of the vacant pension of Rs 15-15-9 which has become vacant by the death of Annamayamma, drawn by ~~the late pensioner of the~~ ~~Manjarabad family who died on 31st July 1930~~ on the 31st July 1930, may be transferred to the name of her daughter Akkammanni with effect from the date aforesaid.

Order No Je 6725 Dy 26/2/32 — Regarding the disposal of the Vacant pension.

The facts of the case are as follows:—

The pension under disposal stood in the name of Annayya Swami Naik and on his demise it was ordered to be continued to his minor son Ramaswami Naik represented by his mother and guardian Annamamma. This Ramaswami Naik also having died, the pension was ordered to be continued in the name of his mother Annamamma.

2. It is now reported that ~~Annamamma~~ the last holder died on 31st July 1930 leaving no male issue.

3. ~~Two claimants~~ Six claimants (X) persons, as noted in the margin, have preferred their claims to the vacant pension before the State Treasury

List of Enclosure

Copied by

Examined by

(X)
1. H.V. Venkatarayulu
2. K.P. Doddarayulu
3. M. Gopalakrishnarasimi Naik
4. M.O. Narasimharaswami Naik
5. Akkammanni
6. H.N. Rajagopala Naik — two others same as no. 5

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

investigations into the claims each has come to the conclusion that the claims of nos 1 to 4 & 6 have to be rejected for reasons explained and that who during the lifetime of her mother had applied for the transfer of the pension of her brother Ramaswami naik but without success.

Order

In the absence of lineal heirs in the male line to the last male holder Ramaswami Naick, Govt. direct that the pension enjoyed by his mother Annamma shall lapse to Govt.

22/2/1932

Pensioning officer's report

requires to be considered that the pension in question may be registered in the name of Akkammani, one of the daughters of the deceased.

On a close scrutiny it is found that Govt cannot (that Akkammani, the nominee of the S. of T. Officer, has no preferential claim to the pension to the exclusion of others similarly related to the deceased and the last male holder of Govt

Therefore cannot accept the recommendation of the S. H. T. Officer

Govt are inclined to opinion that in view of the absence of (or there have been no) lineal heirs in the male line and as the last holder was a female, there is no reason to continue the pension wholly or partly to anybody however remote of the claimants and direct that it shall lapse to Govt

The Comptroller is requested to issue necessary instruct the S. H. T. Officer to issue necessary endorsements to the several Claimants

To the Comptroller to Govt (with records)

Final Secy

WD 0327—GPB—10,000—18-5-27

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

R e a d:-

Government Order No.P.P. 164-5 dated 11th February 1901 directing the continuance of the pension of Rs. 18-15-9 rendered vacant by the death of Annayyaswami Naik of the Manjarabad family in the name of his minor son Ramaswami Naik represented by his mother and guardian Ammannamma.

2. Government Order No.Fl.5683-4 dated 16th May 1911 sanctioning the continuance of the pension of Rs. 18-15-9 per mensem which fell vacant on the death of the late Ramaswami Naik, to his mother Ammannamma.

3. Correspondence ending with letter No. 2267/S.H.Try dated 3rd November 1931 from the Comptroller to Government forwarding the report of the Officer in charge of the State Huzur Treasury regarding the disposal of the vacant pension.

****

O R D E R No. Fl.6725/S Rd. 158-30-13
Dated Bangalore the 24th February 1932.

In the absence of lineal heirs in the male line to the last male holder Ramaswami Naik, Government direct that the pension conferred on his mother Ammannamma should lapse on her death.

Subba Rao

For Secretary to Government
Financial Department.

To

The Comptroller to Government (with records).

c.n.